THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Civil Misc. Writ Petition (M/S) No. 250 of 2006
(Under Article 226/227 of the Constitution of India)

Rajesh Kumar Singh, S/O Shri Dev Narain Singh,
At present working as Assistant Teacher in
Government Higher Secondary School, Dhaulakhera,
Post Office Arjunpur, Haldwani,
District Nainital.

…. **Petitioner.**

Versus

1. Principal Judge, Family Court
   Dehradun.
2. Smt. Pritipal, D/O Shri Mohan Singh,
   At present residing at 47/62, Old Dalanwala,
   Dehradun, District Dehradun.

……. **Respondents.**

Sri Ramji Srivastava, learned counsel for the petitioner.
Sri Nand Prasad, Learned Standing Counsel for the respondent No. 1.

Dated March 22, 2006.

PC:
(Hon'ble B.S. Verma, J.)

Heard learned counsel.

The petitioners have filed the present Writ Petition to issue a writ, order or direction in the nature of mandamus commanding the Principal Judge, Family Court, Dehradun (respondent no. 1) to decide the divorce petition registered as Original Suit No. 271 of 2004 Smt Pritipal Vs. Rajesh Kumar Singh expeditiously.

The record of the case shows that the respondent no.2 filed a divorce petition under Section 13(1)(1A) of the Hindu Marriage Act, 1955 against the husband-petitioner for declaring the

marriage between the parties as null and void, which was registered as Original Suit No. 271 of 2004 in the court of the respondent no.1. Respondent No.2 filed an application under Section 24 of the said Act for interim maintenance and litigation expenses. It is alleged that the respondent no. 2 has been granted alimory of Rs. 2500-/ per month along with Rs. 6,000/- as litigation expense vide order dated 17-10-2005 and she is not interested in the final disposal of the petition.

In the course of argument, learned counsel for the petitioners submitted that to meet the ends of justice, a direction may be issued to the respondent no. 1 to decide the Original Suit No. 271 of 2004 be ordered to be decided expeditiously. The prayer is innocuous.

The learned Principal Judge, Family Court, Dehradun is directed to decide the aforesaid divorce petition preferably within a period of six months from the date of production of certified copy of this order on merit.

With the aforesaid observation, the Writ Petition is disposed of finally.

(B.S. Verma, J.)

RCP